

Information UPDATE



Wisconsin Department of Public Instruction/John T. Benson, State Superintendent/125 S. Webster St./P.O. Box 7841/ Madison, WI 53707-7841

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TO: District Administrators, CESA Administrators, CCDEB Administrators,
Directors of Special Education and Pupil Services, and Other Interested Parties

FROM: Juanita S. Pawlisch, Ph.D., Assistant Superintendent
Division for Learning Support: Equity and Advocacy

SUBJECT: Special Education Plan

Information Update Bulletin No. 98.05, published in May, 1998, described changes in special education law and plans for the manner in which special education and related services are to be reported to the Department of Public Instruction (DPI) and to the public. The special education plan, required in section 115.77 (4), Wis. Stats., will form the basis for program approval and for payment of federal special education funds and state special education categorical aids. The purpose of this bulletin is to provide general directions and the schedule for development and submission of the special education plan.

The department is committed to simplifying the process of reporting and has worked closely with directors of special education and pupil services and local auditors to accomplish this goal. The special education plan actually will be a compilation of information derived from a number of existing reports which collect data elements required in section 115.77 (4), Wis. Stats., and additional, primarily narrative, information. Much of the narrative information will be required to be submitted once, with updates required annually only when changes occur.

The local educational agency (LEA) special education plan consists of three parts. Part I includes the information drawn from other DPI data reports; Part II is the LEA's service delivery plan; and Part III is the federal Individuals with Disabilities Education Act (IDEA) flow-through and discretionary grants application section. Instead of a segmented DPI review and approval process, the department will "unify" the required federal and state information and data elements into a single special education plan that will be submitted to the department and turned around to the LEA, allowing the department, LEA staff and parents to evaluate how the special education and related services delivery system in the LEA improves results for children with disabilities.

Overview of activities and changes to date:

- PI-2300 was eliminated on July 1, 1998.
- Subchapter V, Chapter 115 became effective May 6, 1998.
- Each LEA is required to submit a special education plan which satisfies state and federal requirements. This ensures accountability, and permits the LEA to assess its special education delivery system.
- Federal grant applications may continue to be cooperative educational service agency (CESA)-wide.
- Other elements, i.e., continuum of services, may be CESA- or county-wide and may be reported similarly for each of the LEAs served by the CESA or county.
- The division is required in section 115.77 (4)(n) to review and approve the LEA special education plan.
- Oversight no longer is solely the department's; it is a shared responsibility among parents, the local community, the LEA and the department.
- The special education plan should be viewed as a technical assistance planning document for use by the LEA, the community and the department.
- The department has an ongoing responsibility to ensure compliance with state and federal law. In addition to its function as a compliance and technical assistance planning document, the special education plan will be the basis for:
 - approval for state categorical aids reimbursement of staff, based on the license check of staff reported on the PI-1202 as well as license checks local auditors will make of staff hired after the third Friday in September;
 - approval for IDEA flow-through and preschool entitlement grant applications; and
 - approval of IDEA discretionary and preschool discretionary grant applications.

Other DPI reports contributing data elements required for the special education plan (Part I):

- Section 115.77 (4)(e) *The ratio of pupils to full-time equivalent staff, including both the ratio of pupils assigned to special education instructional and related services staff and to total special education instructional, support and administrative staff.*

The department will derive this ratio by comparing the number of children with disabilities reported on the December 1 federal student data report to the staff counts from the PI-1202, based on the third Friday of September. While this does not result in a perfect match in terms of date of collection, it is consistent with the intent to reduce duplicative data collection.

- Section 115.77 (4)(j)1. *The local educational agency's graduation rate for children with disabilities and how the rate compares to the agency's graduation rate for nondisabled children.*

Reporting of graduation data must include a comparison of graduation rates for children with disabilities with rates for nondisabled children. Since the federal exit report contains information about graduation for children with disabilities only, this data will be collected on the School Performance Report (SPR).

- Section 115.77 (4)(j)2. *The local educational agency's rate of suspension and expulsion of children with disabilities and how the rate compares to the agency's rate of suspension and expulsion of nondisabled children.*

Reporting of suspension/expulsion of children with disabilities also entails a disproportionality standard in relation to rates for nondisabled children. Although elements of this requirement are contained in the federal exit report, because of the disproportionality standard, the SPR will be used to meet this requirement.

- Section 115.77 (4)(j)3. *The local educational agency's overall incidence rate of children with disabilities and the agency's incidence rates of particular disabilities.*

The December 1 federal student data report will be used to generate this information. Counts of students with disabilities will be compared to district enrollments derived from the PI-1290, third Friday in September enrollment report.

- Section 115.77 (4)(j)4. *The rate of participation of the local educational agency's children with disabilities in statewide and local educational agency-wide assessments and the results of those assessments.*
- Section 115.77 (4)(j)5. *The rate of participation of the local educational agency's children with disabilities in alternative assessments and the results of those assessments.*

Statewide assessment data is collected from the vendor, and is collated and reported in the SPR. Both the number of children participating and the results are reported. Grade designations for each child will be required on the December 1 federal student data report.

- Section 115.77 (4)(j)7. *The number of children with disabilities placed in appropriate, interim, alternative educational settings under 20 USC 1415 (k)(1)(A)(ii).*

The SPR has been amended to collect this data.

- Section 115.77 (4)(j)10. *If the local educational agency is a school district, the number of children with disabilities who attend the school district under s. 118.51, the disability of each such child and the special education or related services received by each such child.*

This information will be drawn from open enrollment application information, collected by the department under the open enrollment legislation, s. 118.51, and matched to the December 1 federal student data report.

- Section 115.77 (4)(k) *A roster of all of the agency's special education and related services staff, their function, their social security numbers and their special education licensure.*

This requirement will be met through the PI-1202, the staff report. Special education staff will be reported as of the third Friday in September based on LEA programming decisions and the license of the staff person. Staff hired after the third Friday will be license-checked by local auditors. Financial claims for special education costs will be made on the annual report and a supplemental special education claim form.

Other required information regarding each LEA's service delivery (Part II):

- Section 115.77(4) *A local educational agency shall submit to the division, pursuant to a schedule and instructions established and published by the division, the agency's plan, including a program narrative, for the provision of special education and related services that includes all the following:*
 - (a) The extent to which special education and related services is or is not organized around particular disabilities.*
 - (b) The licensure and other preparation or experience of special education staff.*
 - (c) The age ranges of pupils who are children with disabilities.*
 - (d) The range of severity of disability among children with disabilities.*

- (f) The way parents participate in the development and review of the plan.*
- (g) The extent to which children with disabilities receive special education or related services beyond the school term.*
- (h) The way the local educational agency provides for a continuum of alternative placements that addresses the unique needs of children with disabilities and ensures that such children receive their educational programming in the least restrictive environment, including the agency's use of placements out of the agency and out of the state and private placements.*
- (i) The local educational agency's plan for employing qualified special education and related services staff, evaluating its staff's special education in-service needs and the plan for meeting those needs.*
- (j) The local educational agency's plan for evaluating its system for the design and delivery of special education and related services and for addressing any needs that are identified by the evaluation,*
- 6. The number of referrals under s. 115.777 and the percentage of those referrals resulting in the provision of special education and related services.*

This information, largely narrative in nature, will be collected by the division and will be required to be reviewed and updated annually where necessary. This will be due to the department on July 1.

- Section 115.77 (4)(j)8. *General information about the satisfaction of parents of children with disabilities and adult pupils who are receiving special education and related services with special education and related services.*

Each LEA will collect and collate this information from parents following the initial evaluation and at three-year reevaluations, based on questions developed by the division. The results of the surveys will be reported annually on July 1.

- Section 115.77 (4)(j)9. *General information about persons who no longer attend high school and who received special education and related services provided by the local educational agency, such as whether they are employed, are living independently and are enrolled in postsecondary education.*

The intent of the department is to contract for a statewide post-high school student follow-up survey of students with disabilities. The information obtained will be shared with each LEA.

Incorporation of federal grant applications (Part III):

- Over the past several years, Wisconsin has evolved toward statewide systems change initiatives for the use of discretionary funding. As priorities for the future direction of this state are established, it is the department's intent to continue the process of using requests for proposals (RFPs) to an increasing degree. As federal flow-through funding is increasing, local needs/priorities can be met using this funding. At the same time, as discretionary money has been frozen, there is a need to focus more tightly the use of this money.
- The date for submission of discretionary grants will be moved to March in 1999, and January in 2000. LEAs will receive approval earlier, contingent on actual funding amounts, in order to plan in a more timely manner. The application process will continue to be completed on paper for submission in 1999. Final discretionary grant award documents will be sent to LEAs only after a substantially approvable special education plan (Parts I, II and III) has been submitted.
- Federally-required statements of assurance [incorporated in state law under s. 115.77 (4)(L)], private school information [incorporated in state law under s. 115.77 (4)(m)], parent involvement, and the

comprehensive system of personnel development (CSPD) plan will be incorporated, along with federal budget information and the proposed use of these funds, as a part of the LEA special education plan.

Additional information:

- The teacher licensing team will continue to send each LEA the license audit of staff, which cross-references PI-1202 with the teacher licensing database. Beginning with 1998-99, the all-staff report will be sent as usual to the district administrator; in addition, a second report, which will be of special education staff only, will be sent to the director of special education/pupil services. This will be the only notification to directors of certification exceptions.
- Special education costs for 1998-99 on the annual report will be “rolled up” in the new Fund 27. In addition, a new supplemental report will break out expenditures by function and by funding source. This information will be used for computation of state special education categorical aid.
- Section 115.77 (7) *Annually, the local educational agency shall provide a special education performance report to all parents of children enrolled in the local educational agency and to the division that includes the local educational agency’s performance with regard to the factors referenced in the agency’s evaluation of its plan under sub. (4)(j) as well as the statewide average with regard to factors in sub. (4)(j)1.-5.*

Section 115.77 (4)(j) includes ten elements, referred to in other parts of this bulletin. Sub. (4)(j)1.-5. include, in addition to LEA data, statewide averages as well, to permit the LEA and the community to compare local performance indicators with statewide averages. The SPR will include four of the latter elements (section 115.77 (4)(j)1., 2., 4. and 5., i.e., suspension/expulsion, graduation, and assessment information, including alternate assessment.) The fifth data element, (section 115.77 (4)(j)3., i.e., LEA’s overall incidence rate and incidence of particular disabilities) will be derived from the December 1 federal student data report.

For fiscal questions about IDEA grant applications, please contact Robert Sainsbury at 608/266-3489; for questions about state special education categorical aids, contact Dennis Hanson at 608/267-9212. If you have special education programming questions, please contact Paul Halverson at 608/266-1781.

This information update can also be accessed through the Internet:

<http://www.dpi.state.wi.us/dpi/dlsea/een/bulindex.html>